

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

| | | |
|--|--|---|
| | | Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet) |
| Applicant's or agent's file reference see form PCT/ISA/220 | | FOR FURTHER ACTION See paragraph 2 below |
| International application No. PCT/DK2004/000767 | International filing date (day/month/year) 05.11.2004 | Priority date (day/month/year) 06.11.2003 |
| International Patent Classification (IPC) or both national classification and IPC H04N9/31, H01S5/068 | | |
| Applicant MARTIN PROFESSIONAL A/S | | |

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk - Pays Bas
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl
Fax: +31 70 340 - 3016

Authorized Officer

Flierl, P

Telephone No. +31 70 340-2917



10/578280

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/DK2004/000767

1AP20Rec'd PCT/PTO 04 MAY 2006

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. **type of material:**
 a sequence listing
 table(s) related to the sequence listing
 - b. **format of material:**
 in written format
 in computer readable form
 - c. **time of filing/furnishing:**
 contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/DK2004/000767

**Box No. V Reasoned statement under Rule 43b/s.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

| | | |
|-------------------------------|-------------|----------|
| Novelty (N) | Yes: Claims | 3 4 |
| | No: Claims | 1 2 5-16 |
| Inventive step (IS) | Yes: Claims | |
| | No: Claims | 1-16 |
| Industrial applicability (IA) | Yes: Claims | 1-16 |
| | No: Claims | |

2. Citations and explanations

see separate sheet

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

Re Item V.

- 1 The following document is referred to in this communication:
D1 : WO 98/15127 A (LDT GMBH & CO ; ENENKEL MARTIN (DE); VOGEL WOLFGANG (DE); DETER CHRIST) 9 April 1998 (1998-04-09)

2 INDEPENDENT CLAIM 1

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

Document D1 discloses (the references in parentheses applying to this document): An apparatus for projecting a light beam onto a target (p.1, l. 1-11). The apparatus comprises light generating means connected to controlling means (fig. 3 (42), (44), (46) and (48)) for controlling the power of the light beam (p.15, l. 5-14). The light generating means generate coherent light in the visible and invisible light spectrum (p.1, l. 1-11 and p. 8, l. 27-28). The apparatus comprises means for calculating and reducing the light power (fig. 3 (48)) which is activated if the power content of the light beam increases over a defined value (p. 10, l.1-11).

3 DEPENDENT CLAIMS 2-9, 11-16

Dependent claims 2-9, 11-16 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT).

4 Since the subject-matter of independent claim 10 corresponds to the subject matter of claim 1, the same reasoning as given for claim 1 will apply mutatis mutandis.

Therefore claim 10 also does not meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT).